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January 5, 2022

By ECF

Honorable Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East, Courtroom 4GN
Brooklyn, New York 11201

Re: CNS Partners, Inc. v. City of New York, et al. 22 CV 00037 (AMD)

Dear Judge Donnelly:

I am an attorney in the office of Georgia M. Pestana, Corporation Counsel of the City of New York, counsel for defendants, the City of New York, Mayor Eric L. Adams, named in his official capacity, the New York City Department of Health and Mental Hygiene (“DOHMH”), and Dave A. Chokshi, DOHMH Commissioner, named in his official capacity. We write in response to plaintiffs’ letter, dated January 4, 2022. We were recently made aware that the City’s Law Department was served with the Complaint and motion papers in this matter. While we do not think plaintiffs’ counsel has articulated a basis for whether this should proceed as an Order to Show Cause as opposed to a regular Notice of Motion, we note that defendants respectfully request the opportunity to oppose plaintiffs’ request for injunctive relief.

Respectfully submitted,

/s/

Rachel K. Moston

cc: All Counsel of Record (via ECF)